



# California Regional Water Quality Control Board

## San Francisco Bay Region



Linda S. Adams  
Secretary for  
Environmental Protection

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<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger  
Governor

Date: **JAN 26 2007**  
File No. 2189.8031 (lrg)

International Business Machines Corporation (IBM)  
Attn.: Mr. Jim Dumanowski  
Manager, Environmental Program  
5600 Cottle Road, Mail Stop DNV/123  
San Jose, CA 95193

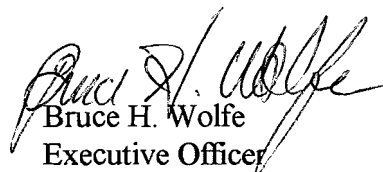
**Subject: Transmittal of the Final Order No. R2-2007-0002, NPDES Permit  
No. CA0027961 for IBM facility, 5600 Cottle Road, San Jose,  
Santa Clara County**

Dear Mr. Dumanowski:

Attached is a copy of the Final Order No. R2-2007-0002 adopted by the Water Board on January 23, 2007 rescinding the NPDES Permit for the facility. The effective date is May 31, 2007. Please note that IBM is required to file an NOI for coverage under General Permit No. CAG912003 30 days prior to this date.

If you have any questions regarding this letter, please contact Lou Gonzales at (510) 622-2365 or e-mail at [lgonzales@waterboards.ca.gov](mailto:lgonzales@waterboards.ca.gov).

Sincerely,

  
Bruce H. Wolfe  
Executive Officer

Attachment: Order No. R2-2007-0002

cc (with attachment):

Lee Solomon  
Tetra Tech, Inc.  
10306 Eaton Place, Suite 340  
Fairfax, VA 22030

Philip Isorena, SWRCB-DWQ

Nancy Yoshikawa (WTR-5)  
U.S. EPA, Region 9  
Permits and Standards  
75 Hawthorne Street  
San Francisco, CA 94105

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**FINAL ORDER NO. R2-2007-0002  
NPDES Permit No. CA0027961**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR:  
INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM)  
SAN JOSE, SANTA CLARA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Water Board) finds that:

1. IBM owned and operated a manufacturing complex located at 5600 Cottle Road, San Jose, Santa Clara County. The facility manufactured computer heads, disk drive equipment, and disk media, and conducted product development.
2. On November 18, 1999, the Water Board adopted National Pollutant Discharge Elimination System (NPDES) Permit No. CA0027961 for IBM through Order No. 99-094. The permit covered the discharge of on-site storm water and waste water from monitoring extraction and treatment systems. These discharges flowed to the San Jose storm drain system to Canoas Creek, which is tributary to the Guadalupe River and thence South San Francisco Bay.
3. On December 31, 2002, Hitachi Global Storage Technologies, Inc. acquired the site. Hitachi Global Storage Technologies, Inc. now monitors and reports on discharges to storm water associated with industrial activity. However, IBM continues to own and operate the on-site and off-site groundwater monitoring extraction and treatment systems.
4. On April 20, 2004, in compliance with the requirements of the NPDES permit, IBM submitted a permit reissuance application, which included a final report covering effluent and receiving water monitoring data collected through 2003. By its timely submittal of a complete application, IBM continued in effect the NPDES permit beyond the permit's expiration date.
5. IBM's permit reissuance application describes the anticipated characteristics of its discharges which include volatile organic compounds.
6. On July 21, 2004, the Water Board adopted an NPDES General Permit No. CAG912003 (Order No. R2-2004-0055) to regulate the discharge and reuse of extracted and treated groundwater resulting from the cleanup of groundwater

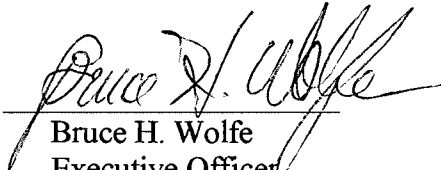
polluted by volatile organic compounds. All dischargers eligible for this permit may file a Notice of Intent to obtain coverage.

7. IBM qualifies for coverage under the General Permit because the discharge results from the cleanup of volatile organic compound-polluted groundwater, IBM can meet the provisions of Resolution No. 88-160 (re-use policy), and the treatment system is capable of ensuring that the discharge will meet the provisions, prohibitions, and limitations of the General Permit.
8. Because the existing individual permit is no longer needed, Order No. 99-094 should be rescinded.

IT IS HEREBY ORDERED, pursuant to provisions of Division 7 of the California Water Code, regulations, and plans and policies adopted thereunder, that:

1. Order No. 99-094 is rescinded effective May 31, 2007.
2. IBM shall file a Notice of Intent for coverage under General Permit No. CAG912003 at least 30 days prior to the rescission effective date.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region on January 23, 2007.

  
Bruce H. Wolfe  
Executive Officer